

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VALERIE W. WAKEFIELD,)	CIVIL DIVISION
)	
Plaintiff,)	Civil Action No. 05 CV 79 – Erie
)	
v.)	Honorable Maurice B. Cohill, Jr.
)	
JOY MINING MACHINERY)	
COMPANY, a division of Harnischfeger)	
Industries,)	JURY TRIAL DEMANDED
)	
Defendant.)	
)	
)	<i>Electronically Filed</i>

MOTION TO AMEND CASE MANAGEMENT ORDER

AND NOW, comes the Defendant, Joy Mining Machinery Company, a division of Harnischfeger Industries, by and through its counsel, Pietragallo Bosick & Gordon LLP, and files the within Motion to Amend Case Management Order setting forth as follows:

1. The parties have completed all fact discovery in the captioned matter.
2. The Court's Amended Case Management Order has set December 29, 2006 as the deadline for the deposition of Plaintiff's experts to be completed and for the filing of the Defendant's expert reports.
3. The Court has set a post-discovery Conference for January 23, 2007.
4. The depositions of the Plaintiff's experts (one of whom is located in Tampa, Florida) have not been able to be scheduled due, in part, to the holidays.
5. Joy respectfully requests that this Court amend the Case Management Order to allow the scheduling of the Plaintiff's experts and the filing of Defendant's expert reports to January 19, 2007.

6. Defense counsel and Plaintiff's counsel have exchanged telephone messages over the past two days but have not been successful in speaking with each other about the requested extension. The moving party cannot then, represent Plaintiff's position with respect to the matters set forth in this Motion.

WHEREFORE, Defendant Joy Mining Machinery Company respectfully requests that this Honorable Court amend the Case Management Order as set forth above.

Respectfully submitted,

/s/ Pamela G. Cochenour, Esquire
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JOY MINING MACHINERY
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION TO AMEND CASE MANAGEMENT ORDER** will be forwarded via the ECF system to the following counsel of record this 21st day of December, 2006:

Alexander H. Lindsay, Jr.
Lindsay, Jackson & Martin
128 South Main Street
Butler, PA 16001

/s/ Pamela G. Cochenour, Esquire
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